



CITY OF HOLLADAY PLANNING COMMISSION MEETING AGENDA

Date: Tuesday, January 21, 2014
Location: Holladay Municipal Center - 4580 S 2300 E
Time: 7:00 PM

AGENDA ITEMS

SPECIAL TRAINING SESSION -

5:30 PM Craig Hall, City Attorney, will conduct training for Commissioners in various aspects of proper Planning Commission policies and procedures.

PRE-MEETING / WORK SESSION -

6:30 PM All agenda items may be discussed.

CONVENE REGULAR MEETING

ACTION ITEMS

(The following matters are Public Hearings. They will be heard and may be voted on. Notice to the public has been provided as required by law.)

- 7:00 PM** 1. **Sycamore Lane - 2-Lot Subdivision – 1925 E Sycamore Lane – Conceptual Plan & Preliminary Plat** – Staff: Rick Whiting, City Planner – *The applicant, Nick Mingo, wishes to divide this .5 acre parcel into two building lots. One existing home will be demolished and a new building lot would be created.*
- 7:30 PM** 2. **Ivory – Murano at Spring Creek - 8-Lot Subdivision – 4775 S Holladay Blvd. – Conceptual Plan** – Staff: Rick Whiting, City Planner - *Applicant, Ivory Homes, wishes to divide this 2.75 acre parcel into eight building lots.*

(The following matters will be heard and may be voted on. Public Notice is not required.)

3. **Orchard Hollow - 3-Lot Subdivision – 4245 South Holladay Blvd. - Final Plat** – Staff: Rick Whiting, City Planner - *Applicant, Highland Hawk Investments, Simon McInnis, requests to divide this 1.01 acre parcel into three building lots.*
4. **Approve Minutes of the January 7, 2014 meeting.**

OTHER BUSINESS

5. Updates or follow-up on items currently in the development review process
6. Report from Staff on upcoming applications
7. Discussion of possible future amendments to code

ADJOURN

On Friday, January 17, 2014 at 12:30 pm a copy of the foregoing notice was posted in conspicuous view in the front foyer of the City of Holladay City Hall, Holladay, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. A copy was also faxed or emailed to the Salt Lake County Council, Cottonwood Heights City and Murray City pursuant to Section 10-9A-205 of the Utah Code. The agenda was also posted at city hall, Holladay Library, city internet website at www.cityofholladay.com and state noticing website at <http://pmn.utah.gov>.

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call 801-527-3890 at least 48 hours in advance. TTY/TDD users should call 7-1-1



CITY OF
HOLLADAY
Planning Commission
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Staff Report  
January 21, 2014  
Item 1

*Project Name:* **Sycamore Lane Subdivision**  
*Application Type:* **Conceptual Plan & Preliminary Plat**  
*Nature of Discussion:* **Public hearing (Conceptual), Preliminary Plat**  
*Planner:* **Paul Allred**  
*Applicant:* **Nick Mingo**

**BACKGROUND & SUMMARY**

The Commission should be aware that this item is a public hearing. Ample time should be granted to the public to comment on the technical aspects of the proposal. This application is an administrative matter that the Commission is obligated to approve if it finds compliance with City standards for this application.

**OVERVIEW**

- ☐ The applicant has held a required neighborhood meeting. There is some strong opposition to the proposal.
- ☐ Public notice was sent to the neighborhood prior to the meeting as required by law.
- ☐ The proposed subdivision is located in the R-1-10 zone.
- ☐ The neighborhood is located just east of Highland Drive and just north of commercial zoning along Murray Holladay Road.
- ☐ A total of two lots (one additional) are proposed. Each lot has the minimum required area for this zone.
- ☐ The property is located in an area of older homes, some located on deeper lots. Many of these properties are characterized by detached accessory buildings
- ☐ The age of some of these homes, including the subject property, is advanced.
- ☐ There is other development on private driveways in this immediate area. (See attached pictures)
- ☐ There is some general updating of a few homes on the street.
- ☐ This proposal would result in a net increase of one home on the street.
- ☐ The older home along the street was initially planned to be remodeled. After detailed analysis by the applicant, it was determined that it will be razed in order to make way for a potentially new home on the front lot.
- ☐ The property is gently sloped and falls in a southwesterly direction.

## **ANALYSIS**

- The conceptual and preliminary plats appear to be ready for approval with the exception of a few minor corrections noted by the TRC and in the process of being corrected by the applicant.
- The engineering provides for adequate storm water retention as required by the City Engineer.
- Utilities have been verified and the site can be adequately served as needed.
- The proposed development is low density in nature and does not appreciably increase the residential density of the neighborhood, traffic on the street, etc.
- The addition of two new homes on this street represents, in staff opinion, a desirable infusion of investment into one of the older neighborhoods in Holladay.
- Such investment, arguably, will result in a net increase in property value for the surrounding homes and potentially create a desire by others to seek to improve the housing stock through tear downs and remodels, and, potentially, to add new dwellings to the area on private driveways where sufficient area and width allow it.
- Given the existing development pattern in the area which already includes two other lots nearby on private driveways, this proposal is not out of character with the neighborhood.
- This “infill” development is a rational and logical method to efficiently use land that is perhaps underutilized within the density allowed by the zone.
- Furthermore, “infill” development of this kind represents a sizable portion of the new homes that are annually built in Holladay. Also it gives a few people each year an opportunity to make Holladay their home within the continuity of an existing neighborhood, instead of a “Greenfields” subdivision elsewhere.
- Analysis of Sycamore Lane properties in the immediate vicinity of the subject property reveals that two lots on private driveways exist, three properties have sufficient area to be subdivided (.459 acre+) and the remaining properties are not eligible for subdivision due to lack of lot area. (See Lots on Private Drive – Analysis Map)

## **RECOMMENDATION**

Staff recommends approval of the conceptual and preliminary plats upon the following:

1. Submittal and resolution of any corrections noted by the TRC on the drawings.

## **CONTACT PERSONS:**

Paul Allred, Community Development Director

Clarence Kemp, City Engineer

Rick Whiting, Staff Planner

**Proposed Sycamore Lane  
2-Lot Subdivision  
1925 E Sycamore Lane  
(.5 acres)**



## **Site Location Map Proposed Sycamore Lane - 2-Lot Subdivision**







## Sycamore Lane - Lots on Private Drive

| Legend                                |                                      |
|---------------------------------------|--------------------------------------|
| <span style="color: orange;">■</span> | Subject Property                     |
| <span style="color: blue;">■</span>   | Existing Lots on Private Drive       |
| <span style="color: green;">■</span>  | Potential Lots on Private Drive      |
| <span style="color: red;">■</span>    | Not Eligible - Lots on Private Drive |







Sycamore Lane Streetscape



Entrance to Private Drive - 1899 E Sycamore









**CITY OF  
HOLLADAY**  
Planning Commission  
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Staff Report
January 21, 2014
Item 2

Project Name: **Murano at Spring Creek Subdivision**

Request: **Conceptual Plan – Eight-Lot Subdivision**

Nature of Discussion: **Public Hearing and Discussion with Potential Approval**

Notice: **Notices were mailed on January 10, 2014 as required by law**

Planner: **Rick Whiting**

Executive Summary

Project No. **13-1-18**

Address: **4775 South Holladay Blvd.**

Applicant: **Ivory Homes**

Application Date: **November 12, 2013**

Zone: **R-1-10**

Total Area: **2.75 acres**

Lot Area Required: **10,000 sq. ft. per lot**
Proposed: **10,079 to 17,792**

Lot Width: Required: **80 feet**
Proposed: **80 feet to 125**

Lot Frontage: Required: **60 feet**
Proposed: **60 to 96 feet**

Neighborhood Meeting: **November 11, 2013**

Applicable Ordinances: **Chapter 12 – Subdivisions;
Chapter 13.14 – Single Family Residential Zones;
Chapter 13.76.400 - Development Near Waterways;
Chapter 13.08.150.A: Special Exceptions Authorized;
City of Holladay General Plan – Page 33; and
City of Holladay General Plan – Appendix A - Page 3**

Background

The applicant, Ivory Homes, proposes to build an eight lot subdivision on the former VanderVeur and Livingston properties at approx. 4800 South and Holladay Blvd.

The property is irregular in shape and rises approx. five percent over approx 580 feet to the east from Holladay Blvd. (Please see attached plans, maps and photos.)

Spring Creek, a perennial stream, runs through the proposed project in a small ravine. Concern has been expressed by neighboring property owners about the possibility of flooding homes within the project and/or potential damage to the stream bed and harm to wild life living in the wooded area through which the stream runs. Holladay's City Engineer, Clarence Kemp, has visited the site, conducted a preliminary review of the potential impact of the proposed development on the stream and offers his assurance that construction of the project would have no negative impact on the stream for residents of the project or the broader community in compliance with Chapter 13.08.150.A: SPECIAL EXCEPTIONS AUTHORIZED.

The TRC has reviewed this request and determined that it meets City Ordinance requirements for Conceptual Plan approval.

A Neighborhood Meeting was held on November 11, 2013. Several people attended and voiced opposition to the project concerning the requested eight lot subdivision.

Technical Review Committee (TRC) Comments

- *Conceptual Plan*- A conceptual plan is attached.
- *Density and Lot Area* – Current zoning allows one single family residence on 10,000 sq. ft. minimum sized lots. This project exceeds minimum density and lot area requirements.
- *Geotechnical Considerations* – None of the proposed subdivision is located in a fault hazard area.
- *Topography* - The property rises vertically from Holladay Blvd. approx. 27 feet with an overall rise of approximately five percent. There are slopes near the stream bed for two homes that have existed for decades.
- *Stream Considerations* – Spring Creek, a perennial stream, runs east to west along the north side of the proposed project in a small ravine that is approx. 15 to 20 feet deep for most of its length. Concern has been expressed by neighboring property owners about the possibility of flooding homes within the project and/or potential damage to the stream bed and harm to wild life living in the wooded area through which the stream runs.

Two existing homes currently lie near the stream. One is as close as 34 feet from the top of the stream bed. Although, premature to discuss in detail at this stage of the entitlement process, the developer has offered assurances that no homes will be built in any way that endangers the stream. Clarence Kemp, City Engineer, concurs. Individuals close to the families living in these homes for several decades have indicated that no flooding has ever originated from Spring Creek. The topography clearly supports this observation.

Mr. Kemp will thoroughly evaluate the possible impacts of construction, placement of homes and possible stream setback exceptions for homes proposed to be near the stream during the Preliminary Plat phase of review for the project as well as during Building Permit application reviews. A stream setback exception request from the current 100 foot setback requirement for

at least two of the eight lots will likely be proposed concurrent to the Preliminary Plat for Planning Commission review. This is not unusual and the Commission has considered and approved many such requests in the past under Chapters 13.76.400 and 13.08.150.A. Considerations include the location and age of existing structures; the current base flood elevation as per FEMA regulations; proposed measures to protect and preserve the existing riparian corridor; and submittal by the property owner of a natural hazards disclosure. This was done with the Deerwood Subdivision in a similar scenario to this application.

- *General Plan* - The City's General Plan calls for Low Density Residential (LDR). It allows a maximum of five dwelling units per acre in this area. This request, with less than three lots per acre, is clearly acceptable under the General Plan. (See General Plan, Page 10 and GP Appendix A, Page 2)
- *Curb/Gutter, Sidewalk and Street Trees* – Curb, gutter and sidewalk exists along Holladay Blvd., nevertheless, street trees or other improvements may be required by the City Engineer and/or the Planning Director with Final Plat approval. (See the attached aerial photo of the vicinity.)
- *Drainage and Water Retention* – The City Engineer has indicated that an acceptable slope protection, drainage and water retention plan will be required with the Preliminary Plat approval.
- *Road and Traffic Considerations* – Holladay Blvd. at this point is a "Minor Arterial" roadway with a 80 foot right-of-way. It is a busy thoroughfare with relatively higher speeds (40 MPH) allowed. (Please reference the General Plan, page 33 and Appendix A, page 3.) The addition of six additional homes with generally accepted average rate of 11 vehicle trips per day each would make minimal impact on overall traffic volume.
- *Driveway Access* – Given that the proposed subdivision is located on a busy roadway, the single private driveway access for all eight lots is optimal in that it minimizes traffic conflict with Holladay Blvd. on ingress and egress. Details of lot and driveway design would be addressed during Preliminary Plat review.
- *Utility Easement* – Utility service and easements will be required prior to Final Plat approval.
- *Access and Right-of-Way* – A Right-of-Way Easement and Road Maintenance Agreement for the eight proposed lots must included in Covenants, Conditions and Restrictions (CC&Rs) to be recorded with the final plat. It must detail provisions and responsibility for road maintenance, snow removal and etc.
- *Fire Access* –The UFA has approved the Conceptual Plan with regard to fire access and protection.
- *Utility Providers* - Final approval will be contingent upon receipt of all utility service letters.

Staff Recommendations

Staff recommends that the Planning Commission favorably consider the merits of this application for Conceptual Plan approval to create the proposed Murano at Spring Creek 8-lot Subdivision at 4775 S Holladay Blvd. in an R-1-10 zone, based on the following findings and subject to following requirements:

Findings:

- A. The proposed project meets the requirements for a residential subdivision in an R-1-10 zone, i.e. area, density, access, slope, public safety, etc;
- B. This project complies with the provisions of the City's General Plan for this area;

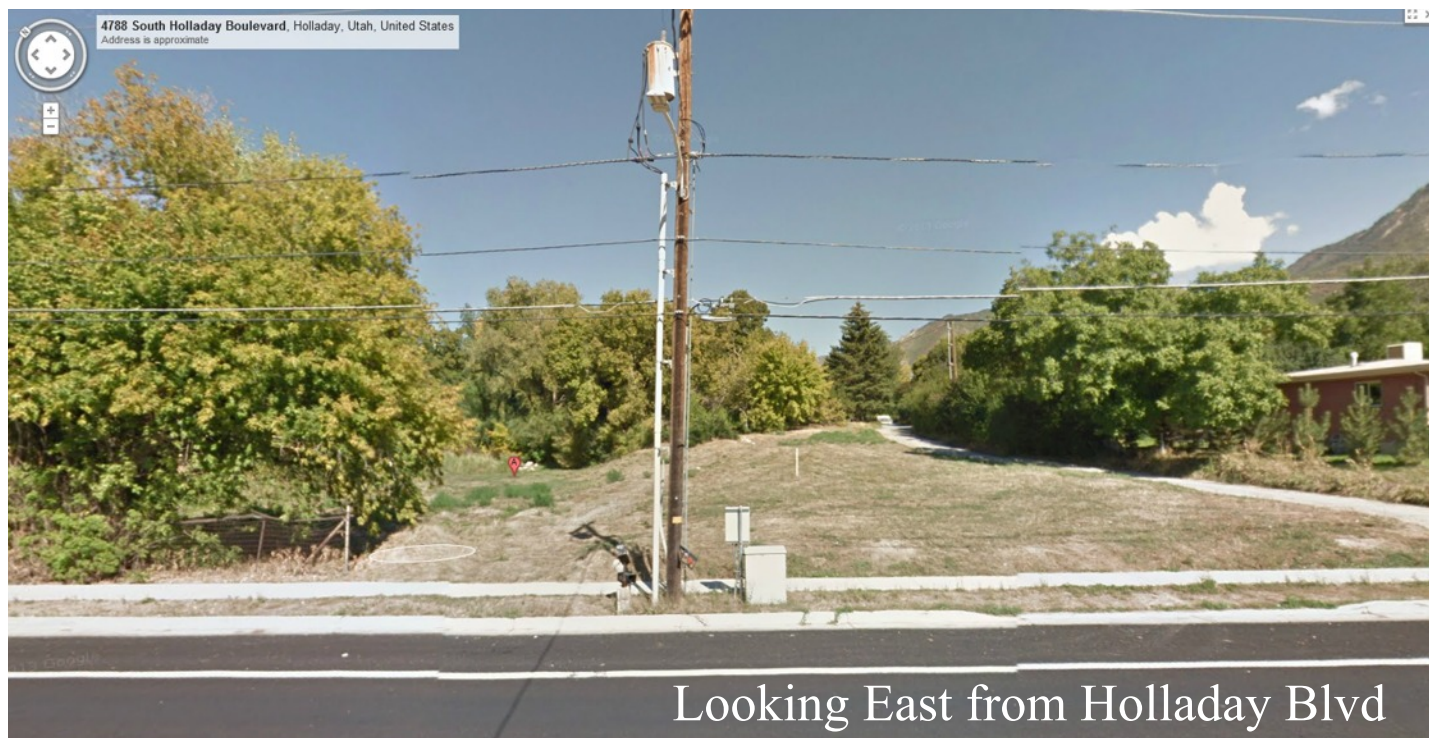
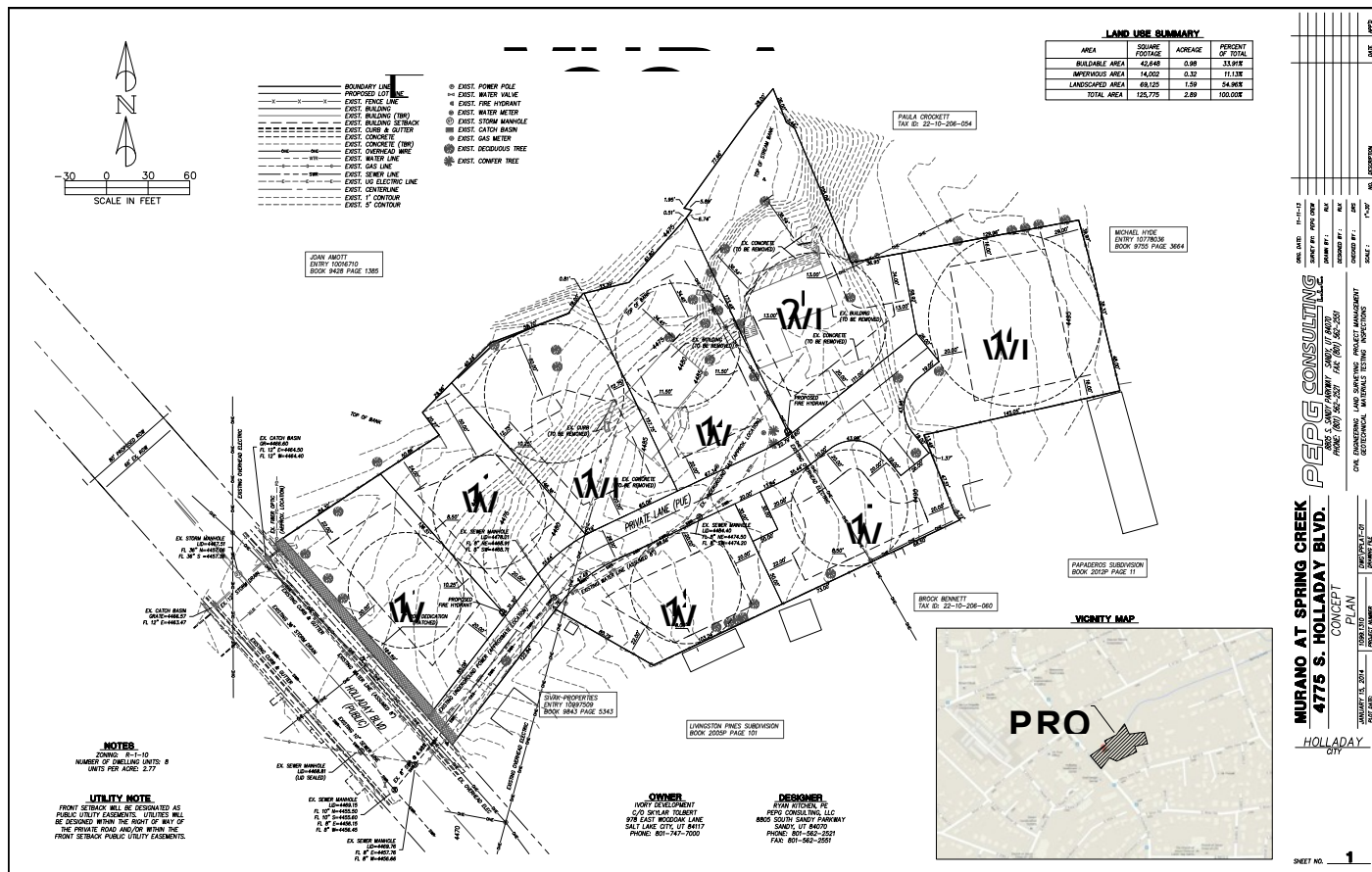
- C. This application is consistent with low density, single family land use patterns in the general vicinity;
- D. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement will be address in the Preliminary Plat review and approval process;
- E. The proposed project has been reviewed by the TRC and meets City requirements for Conceptual Plan;
- F. Utility providers can serve the property and have (or are expected to) provide appropriate service availability letters;
- G. Topographical, geotechnical and stream setback constraints can reasonably be mitigated and/or accommodated through subdivision design and building permit requirements.

Requirements - Prior to approval of Preliminary and Final Plat - all outstanding TRC issues must be resolved. These may include among other things:

1. A Preliminary Plat and any other requirements for the subdivision shall be submitted to the Technical Review Committee (TRC) for review and recommendation to the Planning Commission;
2. A hillside protection and storm drainage plan may be required with Preliminary Plat submission;



**Site Location Map
Proposed
Murano - 8-Lot Subdivision**







Looking West from Back Lot



Looking East to Far Back Lot





**CITY OF
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Planning Commission
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**Staff Report**

**January 21, 2014**

**Item 3**

*Project Name:* **Orchard Hollow Subdivision**  
*Request:* **Final Plat – Three-Lot Subdivision**  
*Nature of Discussion:* **Discussion with Potential Approval**  
*Notice:* **No Notice Required**  
*Planner:* **Rick Whiting**

**Executive Summary**

*Project No.* **06-1-03-02**  
*Address:* **4245 South Holladay Blvd.**  
*Applicant:* **Highland Hawk Investments, Simone McInnis**  
*Application Date:* **June 19, 2012**  
*Zone:* **R-1-15**

**Background**

Between April 17, 2012 and January 7, 2014 the applicant, Simone McInnis with Highland Hawk Investments - worked with and through Staff, the Planning Commission, the City Council and Third District Court to achieve Conceptual Plan and Preliminary Plat approval for the project.

- ☐ The Technical Review Committee (TRC) has now reviewed the Final Plat and finds that the application is substantially complete.
- ☐ The City Engineer and UFA are satisfied that the project is ready for Final Plat approval.
- ☐ Required supporting documents have been submitted to Staff.

**Technical Review Committee (TRC) Residual Comments** *(Most issues have been previously resolved.)*

- *Slope Cuts and Fills* – This will be monitored and regulated during the building permit phase of development by the City's building department.
- *Drainage and Water Retention* – The City Engineer has approved a storm drainage and water retention plan.
- *Access and Right-of-Way* – A Road Maintenance and Right-of-Way Access Agreement has been prepared for the project. It will be recorded with the Subdivision.
- *Utility Providers* – all appropriate service availability letters have been submitted.

## **Staff Recommendations**

Staff recommends that the Planning Commission favorably consider approving the Final Plat for the Orchard Hollow 3-lot Subdivision located at 4245 S Holladay Blvd. in the R-1-15 zone.

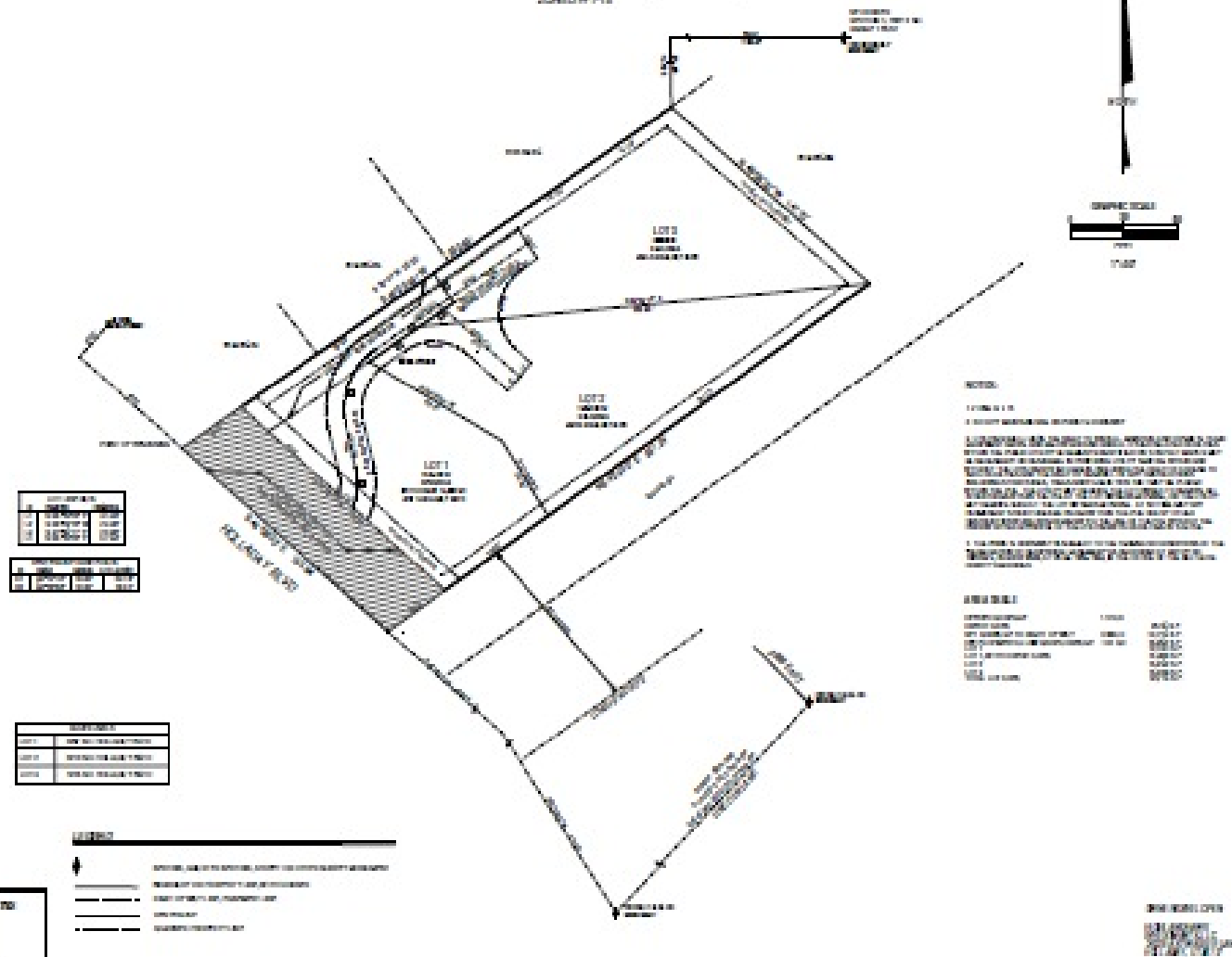
### ***Findings:***

1. The proposed project has been previously approved by the Planning Commission for Conceptual Plan and Preliminary Plat. ;
2. The proposed project has been reviewed by the TRC and it meets City requirements for Final Plat approval. It is consistent with the Conceptual Plan and Preliminary Plats;
3. This development will install public improvements where none currently exist;
4. This project incorporates appropriate use for this land. It is compatible with surrounding land uses and makes a positive addition to the City;
5. The health, safety and well being of the community will not be negatively impacted by this development;
6. This project will increase the tax base of the City.

### ***Requirements:***

1. Prior to recordation of the Final Plat at Salt Lake County – any remaining unresolved items as per the TRC and payment of required fees must be completed;
2. Bonding requirements have been determined by the City Engineer and must be accommodated; and
3. A pre-construction meeting will be required with the developer, their civil engineer and general contractor in attendance along with appropriate Staff and TRC members representing the City.

FINAL PLAT  
**ORCHARD HOLLOW SUBDIVISION**  
 A THREE LOT RESIDENTIAL SUBDIVISION  
 LOCATED IN THE NE 1/4 OF SECTION 4, TWP 2 SOUTH, RANGE 1 EAST, S24E M  
 ZONED R-1-10





**DRAFT**

**MINUTES OF THE CITY OF HOLLADAY  
PLANNING COMMISSION MEETING**

**Tuesday, January 7, 2014**

**6:30 p.m.**

**Holladay Municipal Center  
4580 South 2300 East**

**ATTENDANCE**

**Planning Commission Members:**

Chris Jensen, Chair  
Spence Bowthorpe, Vice Chair  
Lori Khodadad  
Les Chatelain  
John Garver  
Matt Snow

**City Staff:**

Paul Allred, Community Development Director  
Rick Whiting, City Planner  
Pat Hanson, City Planner  
Jonathon Teerlink, City Planner

**PRE-MEETING/WORK SESSION**

Chair Jensen called the meeting to order at 6:35 p.m.

The agenda items were reviewed and discussed.

With regard to the stream setback amendment, City Planner, Jonathon Teerlink, reported that adjustments were made to the 50 and 100 foot criterion. A brief synopsis of the stream setback was presented. Items less than 50 feet from the stream will be reviewed by the Commission while properties between 50 and 100 feet will not. Notice was to be given to residents within 500 feet.

The Commission next discussed the Planned Unit Development matter. Community Development Director, Paul Allred, stated that the genesis for this issue was when the City Council indicated they were interested in further examining the benefits of PUDs for smaller parcels earlier in the year when they were considering the Phillips rezone.

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The Orchard Hollow three-lot subdivision was next detailed. Mr. Allred stated that the matter is not up for public hearing but rather for just consideration of the preliminary plat during this meeting and recommended it be brought back to the Commission for final approval.

*(18:59:34) Commissioner Bowthorpe moved to close the Work Meeting and relocate to the Council Chambers for the Regular Meeting. Commissioner Khodadad seconded the motion. The motion passed with the unanimous consent of the Commission.*

**CONVENE REGULAR MEETING**

*City of Holladay Planning Commission Meeting – 1/7/2014*

Chair Jensen called the Regular Meeting to order at 7:05 p.m.

## **ACTION ITEMS**

### **1. Stream Setback Amendment – Staff: Jonathon Teerlink, City Planner and Clarence Kemp, City Engineer.**

(19:04:55) Mr. Teerlink presented the Stream Setback Amendment as detailed in the staff report and stated that the issue pertains to perennial streams. Currently, the ordinance requires any development within 100 feet of the centerline of the waterways go through an additional layer of review. The amendment proposes that the criteria for any developments from ~~50~~ to 100 feet not be brought to the Planning Commission. Developments between zero and 50 feet will be reviewed by the Commission with proper public notice. He confirmed that the 100-foot buffer is not a setback. The only setback required for residential construction is set forth in Section 13.04, Rear Yard Setbacks. Properties within this 100-foot section ~~currently~~ require an additional layer of review. ~~However, if the code amendment is approved, future~~ applications for projects within 50 and 100 feet ~~would~~ essentially ~~be~~ removed from the public hearing and kept at staff level.

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The second portion proposes that private developments, which convey irrigation across private property, be maintained by the property owner. City Manager, Clarence Kemp, stated that this is a long standing problem and a reiteration of what the City and state policy has been for many years. The irrigation laterals are owned by the individual irrigators. The purpose ~~of this amendment~~ is to serve as clarification ~~and reminder of responsibility~~. When a pipe goes in, it is for the convenience of the property owner. The City does not own or maintain the laterals and maintenance is the sole responsibility of the property owner. Issues that are closely inspected include flood plains, bank stability issues, riparian issues, types of vegetation, and accessibility.

(19:21:10) Chair Jensen opened the public hearing.

Louise Hollander gave her address as 2561 East Valley View Avenue. She hoped to see the system expanded and homes kept at a distance of 100 feet from the creek bed.

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Wendy Zeigler gave her address as 2557 East Valley View Avenue and shared concern regarding the code amendment. Her opinion was that it denies citizen input.

Commissioner Khodadad agreed with Ms. Zegler's comments regarding the importance of citizen input. She explained that the proposed amendment would not change anything in the process with the exception of those who come in for issues dealing with 50 and 100 feet.

Mr. Allred confirmed that there is a noticing policy subdivision approval in place. Anyone within 500 feet of the proposed property will be notified and are invited to comment.

Robin Hough gave her address as 2465 Kentucky Avenue and raised concern about the advocacy of the City. She encouraged the Commission to ensure that the processes and systems are not at the expense of public input.

1 Brock Bennett gave his address as 2511 East Valley View Avenue. He remarked that he had not  
2 received notification regarding the Planned Urban Development. Chair Jensen confirmed that  
3 there has been no application for the property. He clarified that the item up for discussion is the  
4 stream exception.

5  
6 Pauline Lehman gave her address as 2501 East Valley View Avenue and shared her opposition to  
7 any change proposed at less than the 100 foot mark.

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8  
9 Kim Johnson was present representing Dick and Donna Livingston who reside at 4787 Holladay  
10 Boulevard. He and found it interesting that those interested in decreasing efficiency don't want  
11 change. He also disagreed with the previous assertion that Livingston's had had flooded  
12 basements in the past from Spring Creek.

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14 (19:49:53) There were no further comments. The public hearing was closed.

15  
16 Mr. Allred stated that the planning staff is very environmentally conscious and proactive in  
17 protecting the surroundings and land.

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18  
19 Commissioner Bowthorpe stated that they must be careful not to relax conditions that currently  
20 exist within the City where the public is not afforded the opportunity to speak to an issue.  
21 Commissioner Khodadad was also of the opinion that the item requires further discussion.

22  
23 (20:03:05) *Commissioner Bowthorpe moved to continue the stream exception amendment to a*  
24 *future meeting for further discussion. Commissioner Khodadad seconded the motion.*  
25 *Commissioner Bowthorpe withdrew his motion.*

26  
27 *Commissioner Bowthorpe moved to approve Section 13.76.400, Development Near Waterways,*  
28 *Item C, of the stream exception text amendment and recommend approval to the City Council.*  
29 *Commissioner Khodadad seconded the motion. Vote on motion: Les Chatelain-Aye, Lori*  
30 *Khodadad-Aye, John Garver-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-*  
31 *Aye. The motion passed unanimously.*

32  
33 (20:05:40) *Commissioner Bowthorpe moved to continue the balance of the stream exception text*  
34 *amendment proposal to a future meeting for further discussion. Commissioner Chatelain*  
35 *seconded the motion. Vote on motion: Les Chatelain-Aye, Lori Khodadad-Aye, John Garver-*  
36 *Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion passed*  
37 *unanimously.*

38  
39 **2. Chapter 13.78 - Planned Unit Development – Staff: Pat Hanson.**

40 (19:34:26) City Planner, Pat Hanson, presented Chapter 13.78 Planned Unit Development as  
41 stated in the staff report and gave a brief history of the progress made up to the present time. It  
42 was clarified that because this is in an R-1-8 zone and requires a minimum lot size of 8,000 square  
43 feet, 16,000 square feet in the PUD would be required. Minimum area requirements for a PUD are  
44 based on doubling the minimum lot area for the zone. It was noted that commercial PUDs do not  
45 have a required area.



Chair Jensen opened the public hearing. There were no comments. The public hearing was closed.

(20:15:32) *Commissioner Chatelain moved to recommend adoption of the Chapter 13.78 Planned Unit Development text amendment to the City Council. Commissioner Bowthorpe seconded the motion. Vote on motion: Les Chatelain-Aye, Lori Khodadad-Aye, John Garver-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion passed unanimously.*

**3. Orchard Hollow - 3-Lot Subdivision – 4245 South Holladay Blvd. - Preliminary Plat – Staff: Rick Whiting, City Planner.**

(19:42:47) City Planner, Rick Whiting, presented the Orchard Hollow three-lot subdivision located at 4245 South Holladay Boulevard as detailed in the staff report. He stated that it was decided in District Court, that the provision in Code Chapter 15.28.020A allows for the portion of the public right-of-way being dedicated to be applied for the purpose of determining the lot area. The matter was reviewed by the Technical Review Committee (TRC) and the Unified Fire Authority (UFA) issued a letter granting approval. Staff recommended the Planning Commission favorably consider the merits of the application.

Simone McInnis confirmed that homes previously existed on the property but have since been demolished.

Doug Gilmore, from Gilmore Engineering, presented the preliminary plat and property details. Wall requirements and height were discussed. Mr. Whiting noted that the building code requires any retaining wall over four feet to be engineered.

Mr. Kemp confirmed that he reviewed the preliminary plat and found it to meet all required ordinances.

(20:30:42) *Commissioner Khodadad moved to approve the Orchard Hollow Three-Lot Subdivision preliminary plat located at 4245 South Holladay Boulevard with the following:*

***Findings:***

- A. The proposed project meets the requirements for a residential subdivision in an R-1-15 zone, i.e. area, density, access, slope, public safety, etc;***
- B. This project complies with the provisions of the City's General Plan for this area;***
- C. This application is consistent with land use patterns in the general vicinity;***
- D. The UFA has approved emergency access as proposed. Fire hydrant capacity and placement has been reviewed and approved;***

- 1        *E. Minimum lot area requirements are met with the addition of allowed area from*  
2        *the public right-of-way (which will be dedicated to the City);*  
3  
4        *F. The proposed project has been reviewed by the TRC and meets City requirements*  
5        *for Preliminary Plat, including provisions from item E above;*  
6  
7        *G. Utility providers can serve the property and have provided appropriate service*  
8        *availability letters; and*  
9  
10       *H. Topographical and geotechnical constraints have been mitigated and/or*  
11       *accommodated through subdivision design and will be further mitigated and/or*  
12       *accommodated through building permit requirements.*  
13

14 ***Requirements: (Prior to approval of the Final Plat - all outstanding TRC issues must be***  
15 ***resolved).***  
16

- 17        *1. A Final Plat and any other requirements for the subdivision shall be submitted to*  
18        *the TRC for review and approval;*  
19  
20        *2. A street dedication will be required on Holladay Blvd;*  
21  
22        *3. Covenants, Conditions and Requirements (CC&Rs) including road maintenance*  
23        *and right-of-way easements shall be submitted to be recorded with the Final Plat;*  
24  
25        *4. Street tree requirements and placement as well as curb, gutter and sidewalk*  
26        *accommodations will be determined by the Community Development Director;*  
27  
28        *5. Bonding requirements will be determined by the City Engineer;*  
29  
30        *6. An acceptable Title Report must be received and reviewed prior to Final Plat*  
31        *approval; and*  
32  
33        *7. Returns to the Planning Commission for final approval, as well as the TRC.*  
34

35 ***Commissioner Chatelain seconded the motion. Vote on motion: Les Chatelain-Aye, Lori***  
36 ***Khodadad-Aye, John Garver-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-***  
37 ***Aye. The motion passed unanimously.***  
38

39 ***(20:32:10) The Commission took a short recess.***  
40

41 **4. Approve Minutes of the November 6, 19 and December 10, 2013 Meetings.**

42 ***(20:41:10) The minutes of November 6, 2013, were reviewed and discussed.***  
43

44 ***Commissioner Bowthorpe moved to approve the minutes of November 6, 2013. Commissioner***  
45 ***Chatelain seconded the motion. Vote on motion: Les Chatelain-Aye, Lori Khodadad-Aye, John***

1 *Garver-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion*  
2 *passed unanimously.*

3  
4 The minutes of November 19, 2013, were reviewed and discussed.

5  
6 *Commissioner Chatelain moved that the minutes of November 19, 2013, be approved.*  
7 *Commissioner Khodadad seconded the motion. Vote on motion: Les Chatelain-Aye, Lori*  
8 *Khodadad-Aye, John Garver-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-*  
9 *Aye. The motion passed unanimously.*

10  
11 The minutes of December 10, 2013, were reviewed and discussed.

12  
13 *Commissioner Chatelain moved to approve the minutes of December 10, 2013. Commissioner*  
14 *Khodadad seconded the motion. Vote on motion: Les Chatelain-Aye, Lori Khodadad-Aye, John*  
15 *Garver-Aye, Matt Snow-Aye, Spence Bowthorpe-Aye, Chair Chris Jensen-Aye. The motion*  
16 *passed unanimously.*

17  
18 **OTHER BUSINESS**

19  
20 **5. Updates for Follow-Up on Items Currently in the Development Review Process.**

21  
22 Mr. Whiting reported that the [Ivory Homes](#)' Murano Subdivision will be presented at an upcoming  
23 meeting and that Millrock Building 5 is expected to return for Commission approval. He  
24 indicated that the [Ivory Homes](#)' Woodley [Place](#) Subdivision will also be coming back for  
25 preliminary re-approval.

26  
27 **6. Report from Staff on Upcoming Applications.**

28  
29 **7. Discussion of Possible Future Amendments to Code.**

30  
31 Chair Jensen reported that he and Commissioner Bowthorpe reviewed the current by-laws and  
32 believe there were items that could be altered to make the Planning Commission transitions run  
33 more smoothly. The first item would be to change the title of Vice Chair to Chair-Elect. This  
34 would enable additional training and preparation - [anticipating that the Chair Elect would](#) become  
35 Chair the following year. Mr. Jensen also stated that because the terms of Commission Members  
36 commence and generally terminate in July, elections should be held at a time to coincide with  
37 those terms, rather than the current year-end elections. Commissioner Khodadad was of the  
38 opinion that the current election process and the way they are held needs to be revised. Holding  
39 the position of Chair requires additional training and she was of the opinion that whoever holds  
40 that position should have a complete understanding of the duties. Alternative solutions were  
41 discussed.

Deleted: to

42  
43 **ADJOURN**

44 (21:39:27) *Commissioner Bowthorpe moved to adjourn. Commissioner Khodadad seconded the*  
45 *motion. The motion passed with the unanimous consent of the Commission.*



1  
2 The Planning Commission Meeting adjourned at 9:40 p.m.

DRAFT

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the City of*  
2 *Holladay Planning Commission Meeting held Tuesday, January 7, 2014.*  
3  
4  
5  
6

7   
8  
9

10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13  
14 Minutes approved:  
15

DRAFT